

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

CARSON SMITH et al.,

Plaintiffs,

v.

DENNIS HEALY et al.,

Defendants.

10-cv-00072-BR

SETTLEMENT CONFERENCE
SCHEDULING ORDER

Settlement Conference is set for 11/18/2010 at 10:30AM in Chambers, before Magistrate Judge Thomas M. Coffin. **Presence of all parties with settlement authority required.** This includes anyone who is to have input on the decision of whether or not to settle the case. All settlement conferences invariably involve a negotiating process, the sifting of facts, the analysis of legal issues, and the candid evaluation of the strengths and weaknesses of a party's case, along with a candid appraisal of the anticipated gains from further litigation balanced against the risks associated with that litigation. If any of the parties is going to seek input from a third person(s) regarding decisions associated with the settlement of a case, that third person should be present during all phases of the settlement process. Examples would include a spouse, parent, or any other adviser upon whom the party will rely upon for advice. Ordered parties to submit settlement document to the court by 12:00PM, 11/15/2010, in which they state realistic proposals they are willing to make or accept to resolve this case. PLEASE SEE ATTACHED INSTRUCTIONS REGARDING SETTLEMENT DOCUMENT.

Any party who, without prior court approval, fails to have all persons with settlement authority present, may be subject to sanctions. Such sanctions may include costs and attorney fees of the other parties attending the settlement conference.

PREPARATION FOR SETTLEMENT CONFERENCE

All communications made in connection with the settlement conference are confidential and will not be disclosed to anyone. Any documents requested and submitted for a settlement conference will be maintained in chambers.

In preparation for the scheduled settlement conference, the attorneys for each party should submit to me the following:

1. A brief analysis of key issues involved in the litigation.
2. A description of the strongest and weakest points in your case, both legal and factual.
3. A description of the strongest and weakest points in your opponent's case, both legal and factual.
4. Status of any settlement negotiations, including the last settlement proposal made by you and to you.
5. Settlement proposal that you believe would be fair.
6. Settlement proposal that you would be willing to make in order to conclude the matter and stop the expense of litigation.
7. Method in which this case is scheduled for a settlement conference, i.e. ordered by judge, requested by parties.

These documents should be submitted to chambers by 12:00 PM on November 15, 2010.

The settlement submission must be e-mailed to:

coffin_settlement@ord.uscourts.gov

Thank you for your cooperation in this matter.

Hon. Thomas M. Coffin
U. S. Magistrate Judge
405 East Eighth Avenue
Eugene, OR 97401
Fax No. (541)431-4139